

REMARKS

Claims 1-4, 6-22, and 24-29 are pending, and the independent claims are claims 1, 11, 22, 24, and 28 (new claim 30 is also independent). All claims are rejected as anticipated by *Kim et al.* (US2003/0139175). Applicant previously amended the independent claims to include material from cancelled claim 5. However, the final Office Action is still rejecting all claims as anticipated by *Kim*. The claims are now amended without prejudice, in order to expedite prosecution of the application. The amendments introduce no new matter, and all of the amendments are fully supported by the specification as originally filed.

Brief Summary of the Novelty of the Present Invention

The basic concept of the present invention is to provide a mobile communication device with a remote initiation methodology, so that this initiator terminal device is capable of initiating a software application that is operable on a remote terminal device. To this end, a sequence is dialed at the initiator terminal device, and the sequence comprises a phone number of the remote terminal device, plus an application identifier which indicates a remote application to be initiated for operation at the remote terminal device. This two-part sequence is transmitted in a call set-up request to the remote terminal device, instead of at a later stage of the call.

The primary advantage of the present invention is that the call set-up request is the initial request, which is transmitted in order to signal to the addressee that an establishment of a call is requested. This means the sequence, which codes the information required to identify the remote application to be initiated, is present already with the request to establish the call. A call establishment therefore may or may not be operated subsequently.

Present Claim 1 is Not Anticipated by *Kim*

In a nutshell, Applicant respectfully submits that the cited *Kim* reference does not disclose establishing an end-to-end call to a remote subscriber, wherein the remote subscriber's identity is

delivered as part of the call establishment, and an application identifier is also delivered as part of the call establishment. Consider the following limitations of present claim 1: “wherein said call set-up request comprises said first sequence, and wherein said call set-up request further comprises said at least one second sequence.” This is an unusual, novel, and useful feature. As seen in *Kim*’s FIG. 11, the remote control command 1115 is sent after the call is set up 1114. Nothing in *Kim* suggests that the remote control command is part of the call establishment.

Likewise, FIG. 13 of *Kim* shows in steps [1] – [10] a communication from a mobile station in client mode (User_C) to a messaging center (MC). FIG. 14 of *Kim* shows in steps [11] – [18] a communication from the messaging center (MC) to a mobile station in server mode (User_S). There is no end-to-end connection in the *Kim* reference since it is a point to point connection between the client (Client_T) and the messaging center (MC), and the MC and the Server, as depicted in figures 13 and 14. In contrast, in the instant application, in paragraph 15 for example, the call set-up request corresponds essentially to a conventional call set-up request. Further, as described for example in paragraph 9 of the instant application, “the present invention’s primary purposes are methods that allow establishment of terminal end-to-end communication in a client/server environment comprising two terminals.” As seen in *Kim*’s FIG. 14 described at paragraph 132, an SMS submit message is sent after a dedicated channel has already been established.

Indeed, an application in a remote subscriber is normally requested after the call is established; i.e. the application identifier is provided subsequent to the call set-up. That is what happens in *Kim*. In contrast, the present claimed invention discloses providing the application identifier with the call set-up request instead of after the call set-up request, which means that the present invention allows the remote subscriber to initiate the remote application without answering the call (e.g. see page 31, line 21 of the application).

The final Office Action (at page 3, first paragraph) mentions these limitations of present claim 1. However, Applicant respectfully disagrees that these limitations are suggested by page 3, paragraph 41 of *Kim*; or by page 9, paragraph 125 of *Kim*; or by page 8, paragraph 111 of *Kim*.

The material at *Kim*’s page 3, paragraph 41 does not teach or suggest that *Kim*’s “remote control service request” is included as part of the set-up request, as presently claimed. On the

contrary, *Kim* discloses that a remote control message is sent by SMS after a call has been set up (see page 10, paragraph 126).

Likewise, the material at *Kim*'s page 9, paragraph 125 involves steps that occur long after a call has been set up. As can be seen in *Kim*'s FIG. 11, steps 1115, 1118, and 1119 occur after a call has been set up 1114.

The Office Action also refers to page 8, paragraph 111 which concludes by saying that "A detailed description of the process will be made with reference to FIGS. 9 to 12." Again, *Kim*'s FIG. 11, steps 1115, 1118, and 1119 occur after a call has been set up 1114. Likewise, in *Kim*'s FIG. 12, the remote control steps occur after the call setup 1210.

CONCLUSION

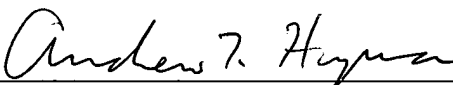
Applicant respectfully submits that the amended claims of the present application define patentable subject matter and are patentably distinguishable over the cited references for the reasons explained. The rejections of the non-final Official Action having been shown to be inapplicable, retraction thereof is requested, and early passage of the pending claims to issue is earnestly solicited.

Applicant would appreciate if the Examiner would please contact Applicant's attorney by telephone, if that might help to speedily dispose of any unresolved issues pertaining to the present application.

Dated: March 20, 2006

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Bradford Green, Building Five
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955

Respectfully submitted,


Andrew T. Hyman
Attorney for Applicant
Registration No. 45,858